



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

---

MKM:MKP/TH/MJL/KMT  
F. #2017R01840

*271 Cadman Plaza East  
Brooklyn, New York 11201*

April 11, 2019

By ECF

The Honorable Vera M. Scanlon  
United States Magistrate Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Keith Raniere, et al.  
Criminal Docket No. 18-204 (S-2) (NGG) (VMS)

Dear Judge Scanlon:

The government respectfully writes in response to the Court's electronic order entered earlier today directing the government to indicate whether the government opposes disclosure of the affidavit in support of the search warrant for 8 Hale Drive, Clifton Park, New York ("Affidavit") to counsel for Nxivm. A redacted version of the Affidavit is publicly available. The government strongly opposes any further disclosure of the unredacted Affidavit for, among other reasons, the reasons set forth in the Affidavit. The government further notes that, in light of the trial schedule, the government does not intend to litigate further the issue of whether there was a blanket waiver of any potential privilege over materials recovered from the location. Because this was the premise of the defendants' request for the Affidavit, the government respectfully submits that the request is now moot.

The privilege team will continue to review the documents segregated from the recovered materials as potentially privileged and will confer with any appropriate parties regarding that review.

Respectfully submitted,

RICHARD P. DONOGHUE  
United States Attorney

By: /s/

Moira Kim Penza  
Tanya Hajjar  
Mark J. Lesko  
Kevin Trowel  
Assistant U.S. Attorneys  
(718) 254-7000

cc: Counsel of Record (by ECF)  
Michael J. Sullivan, Esq. (by email)